

IN THE CIRCUIT COURT OF CLAY COUNTY, MISSOURI

SUSAN CHASTEEN,

Plaintiff,

v.

NEW HARRAH'S NORTH KANSAS
CITY LLC,Serve: CSC-Lawyers Incorporating Service
Company
221 Bolivar Street
Jefferson City, MO 65101HARRAH'S NORTH KANSAS CITY
LLC,Serve: CSC-Lawyers Incorporating Service
Company
221 Bolivar Street
Jefferson City, MO 65101

Defendants.

Case No.:

Division:

JURY TRIAL DEMANDED

ATTORNEY'S LIEN CLAIMED

PETITION FOR DAMAGES

COMES NOW Plaintiff Susan Chasteen, by and through the undersigned counsel, and for her Petition for Damages against New Harrah's North Kansas City LLC and Harrah's North Kansas City LLC, states and alleges as follows:

PARTIES AND THEIR AGENT

1. At all relevant times, Plaintiff Susan Chasteen was a resident of Independence, Jackson County, Missouri.
2. At all times relevant herein, Defendant New Harrah's North Kansas City LLC was and is a Delaware corporation organized and existing under the laws of the State of Delaware, registered and doing business in the State of Missouri as a foreign limited liability company, and with its principal place of business in Las Vegas, Nevada.

EXHIBIT**A**

3. Defendant New Harrah's North Kansas City LLC can be served at its registered agent CSC-Lawyers Incorporating Service Company, 221 Bolivar Street, Jefferson City, MO 65101.

4. At all times relevant herein, Defendant Harrah's North Kansas City LLC was and is a Missouri corporation organized and existing under the laws of the State of Missouri, doing business in the State of Missouri, and with its principal place of business in North Kansas City, Clay County, Missouri.

5. Defendant Harrah's North Kansas City LLC can be served at its registered agent CSC-Lawyers Incorporating Service Company, 221 Bolivar Street, Jefferson City, MO 65101.

6. Defendants New Harrah's North Kansas City LLC and Harrah's North Kansas City LLC own, operate, manage, and maintain a casino known as "Harrah's Casino" in North Kansas City, Clay County, Missouri.

JURISDICTION AND VENUE

7. This Court has personal jurisdiction over all the parties hereto and subject matter jurisdiction over the action alleged as the action herein arises from Defendants' commission of a tort in the State of Missouri and Defendants have sufficient contacts with the State of Missouri to satisfy due process.

8. Venue is proper in this Court pursuant to Mo. Rev. Stat § 508.010 because the tortious conduct herein complained of first occurred in whole or in substantial part in North Kansas City, Clay County, Missouri.

FACTS COMMON TO ALL COUNTS

9. On June 5, 2016, Plaintiff was visiting Harrah's Casino in North Kansas City, Clay County, as a business invitee of Defendants.

10. Defendants owned, operated, managed, and maintained Harrah's Casino, by and through its agents, servants, and employees, located in North Kansas City, Clay County, Missouri.

11. Defendants maintained the casino premises, including the walkways, entrances, and exits, and had a duty to maintain the premises in safe condition and in a non-hazardous manner.

12. Defendants failed to maintain the premises, including the walkways, entrances, and exits, in safe condition and in a non-hazardous manner by leaving or placing carpet/rugs in the entry way of the casino that were in poor condition, uneven, tattered, raised, worn, and warped such that they posed a tripping and fall hazard.

13. On June 5, 2016, Plaintiff was entering the premises through a designated entrance.

14. Unbeknownst to Plaintiff, the edge of the carpet/rugs was slightly raised above floor level.

15. While traversing the entry area, Plaintiff tripped over the carpet/rugs and fell hard to the ground, resulting in severe and permanent personal injuries, pain and suffering, medical bills, and other economic losses.

COUNT I – NEGLIGENCE/PREMISIS LIABILITY
(Against all Defendants)

16. Plaintiff incorporates paragraphs 1-15 above as though restated herein.

17. Defendants owned, operated, managed, and maintained Harrah's Casino, by and through its agents, servants, and employees, located in North Kansas City, Clay County, Missouri.

18. Defendants had a duty to maintain the casino premises, including the walkways, entrances, and exits to said premises, in a safe condition and in a non-hazardous manner.

19. Defendants knew or should have known that the carpet/rugs presented a hazardous condition creating a high risk of serious injury to Plaintiff and other business invitees.

20. Defendants were careless, failed to exercise reasonable care, and breached their duty and were thereby negligent by engaging in one or more of the following acts or omissions:

- a. Improperly operated, managed, maintained and controlled its premises in failing to properly maintain the casino's walkways, entrances, and exits on the premises in a safe and non-hazardous condition;
- b. Failed to inspect the carpet/rugs for wear and tear, unevenness, warping, *etc.*, and failed to replace carpet/rugs that presented tripping hazards;
- c. Failed to provide slip guards and/or slip resistance rugs in the casino's walkways, entrance, and exits of the premises;
- d. Failed to warn the Plaintiff and other persons lawfully on said premises of the dangerous condition when Defendants knew or should have known in the exercise of ordinary care that said warning was necessary to prevent injury to Plaintiff;
- e. Allowed the premises to remain in a dangerous condition, making the walkways, entrances, and exists unfit for passage for an unreasonable length of time; and
- f. Was otherwise careless and negligent in the operation, management, and maintenance of the premises.

21. As a direct and proximate result of one or more of the foregoing negligent acts or omissions of Defendants, the Plaintiff sustained severe and permanent injuries, pain and suffering, and economic losses, including lost income.

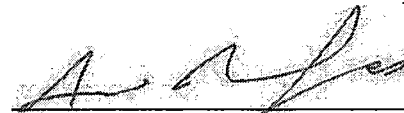
22. As a direct and proximate result of Defendants' careless and negligent acts, Plaintiff suffered great pain and suffering and will continue to experience pain and suffering in the future.

23. As a direct and proximate result of Defendants' careless and negligent acts, Plaintiff incurred medical expenses and will continue to incur medical expenses in the future.

WHEREFORE, Plaintiff Susan Chasteen prays for judgment against Defendants, and for compensatory damages that are fair and reasonable in excess of \$25,000.00.

Respectfully submitted,

PEDDICORD & TOWNSEND, LLC



Ari N. Rodopoulos MO #58777

Peddicord & Townsend, LLC

1517 Oak Street

Kansas City, MO 64108

P: 816-842-3200

F: 816-842-3201

ari@ptlawkc.com

Attorneys for Plaintiff